

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette Series I No. 46 dated 16-2-2006, as namely:

- (1) Extraordinary dated 21-2-2006 from pages 909 to 910 regarding Notification from Department of Water Resources (Office of the Chief Engineer).
- (2) Extraordinary (No. 2) Dated 22-2-2006 from pages 911 to 912 regarding Notification from Department of Finance (Budget Division).

GOVERNMENT OF GOA

Goa Legislature Secretariat

LA/A/BILLS/3005/2006

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 13-2-2006 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The City of Panaji Corporation (Amendment) Bill, 2006

(Bill No. 3 of 2006)

A

BILL

further to amend the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003).

BE it enacted by the Legislative Assembly of Goa in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the City of Panaji Corporation (Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 1st day of October, 2005.

2. *Amendment of section 17.*— In section 17 of the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003) (hereinafter referred to as the "principal Act"), in the proviso to sub-section (2), for the words "one year and six months", the words "two years" shall be substituted.

3. *Amendment of section 18.*— In section 18 of the principal Act, the following provisos shall be inserted, namely:—

"Provided that the term of office of the Councillors of the Corporation formed immediately after the commencement of this Act shall in no case extend beyond the period of two years and six months from the date of constitution of the Corporation:

Provided further that after the expiry of said period of two years and six months, the consequences as laid down in section 380 of this Act shall ensue".

4. *Repeal and saving.*— (1) The City of Panaji Corporation (Amendment) Ordinance, 2005 (Ordinance No. 4 of 2005), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing or action was done or taken.

Statement of Objects and Reasons

The Bill seeks to amend sub-section (2) of section 17 of the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003) so as to empower the Government to extend the term of the Corporation of the City of Panaji for a period of two years after the expiry of a period of one year as specified in sub-section (2) of said section 17 and to enable the Government to complete certain formalities required for holding the elections to the said Corporation, which are presently under process. The Bill also seeks to amend section 18 of the said Act, so as to provide that the term of office of the Councillors of the Corporation formed immediately after the commencement of the said Act shall in no case extend beyond the period of two years and six months from the date of constitution of the Corporation and also to provide that after the expiry of said period of two years and six months, the consequences as laid down in section 380 of the Act shall ensue.

The Bill also seeks to repeal the City of Panaji Corporation (Amendment) Ordinance, 2005 (Ordinance No. 4 of 2005), promulgated by the Governor of Goa on 05-10-2005.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Panaji-Goa. (JOAQUIM ALEMAO)
6 February, 2006. Minister for Urban Development

Assembly Hall, (SUDHIR NARVEKAR)
Porvorim-Goa. Secretary to the Legislative
6 February, 2006. Assembly of Goa.

ANNEXURE

Extract of the Section 17 and 18 of the City of Panaji Corporation Act, 2002

17. *Duration of the term of the Corporation.*— (1) The Corporation shall, unless sooner dissolved, continue for a period of five years from the date appointed for its first meeting and no longer.

(2) A Corporation formed immediately after the commencement of this Act shall continue for a period of one year from the date of publication of this Act in the Official Gazette or until the new elections are held under the provisions of this Act, whichever is earlier:

Provided however, the State Government may extend the term of the Corporation referred to in sub-section (2) above not beyond a period of one year and six months, after the expiry of one year, for exceptional reasons.

18. *Term of Office of Councillors.*— Except as provided for in the transitory provisions hereinafter made, the term of office of the Councillors shall be co-terminus with the duration of the Corporation.

Assembly Hall,
Porvorim-Goa
6 February, 2006.

(SUDHIR NARVEKAR)
Secretary, Legislature

LA/A/BILLS/3006/2006

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 14-2-2006 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Electricity Duty (Amendment) Bill, 2006

(Bill No. 4 of 2006)

A
BILL

further to amend the Goa, Daman and Diu Electricity Duty Act, 1986 (Act No. 7 of 1986).

BE it enacted by the Legislative Assembly of Goa in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Electricity Duty (Amendment) Act, 2006.

(2) It shall be deemed to have come into force with effect from the 1st day of January, 2006.

2. *Amendment of Schedule.*— In the Schedule appended to the Goa, Daman and Diu Electricity Duty Act, 1986 (Act No. 7 of 1986).

(a) in PART-C, for the figure "4", wherever it occurs, the figure "5" shall be substituted;

(b) in PART-E, for the figure "2", the figure "5" shall be substituted;

(c) in PART-G, for the figure "2", the figure "5" shall be substituted.

3. *Repeal and Saving.*— (1) The Goa Electricity Duty (Amendment) Ordinance, 2005 (Ordinance No. 1 of 2006) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

Statement of Objects and Reasons

At present, the responsibility of providing and maintaining the public lighting is with the Electricity Department. The local authorities, i.e. Municipalities and Village Panchayats, are not in a position to bear the energy charges towards public lighting and this financial burden also falls on the Electricity Department. In order to mobilize additional revenue to meet these expenses on providing and maintaining the public lighting, the Governor of Goa promulgated the Goa Electricity Duty (Amendment) Ordinance, 2005 (Ordinance No. 1 of 2006) on 12-01-2006, amending the Schedule appended to the Goa, Daman and Diu Electricity Duty Act, 1986 (Act 7 of 1986), and thereby increasing the rate of duty specified in the said Schedule.

This Bill seeks to replace the said Ordinance.

This Bill seeks to achieve the above objects.

Financial Memorandum

By increasing duty to 5 paise by the proposed Bill, the Government is likely to earn on average an additional annual revenue of Rupees six crores.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Panaji, Goa,
February, 2006.

DIGAMBAR KAMAT
Minister for Power

Assembly Hall,
Porvorim, Goa
February, 2006.

SUDHIR NARVEKAR
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation

In pursuance of Article 207 of the Constitution of India, I, S. C. Jamir, Governor of Goa, hereby recommend to the Legislative Assembly, the introduction and consideration of the Goa Electricity Duty (Amendment) Bill, 2006.

ANNEXURE

Extract of Part C, Part E and Part G of the schedule appended to the Goa, Daman and Diu Electricity Duty Act-1986 (Act No. 7 of 1986)

PART - C

In respect of—

General motive power service.	
Units generated and consumed per month	Paise/Unit
All units (for L. T. consumers)	4
All units (for H. T. consumers)	4

PART - E

In respect of—

Irrigation pumping and agricultural purposes —

Units consumed per month	Paise/Unit
All units	2

PART - G

In respect of—

Temporary supply for exhibitions or entertainments for private gains or for social functions or for any other purpose —

Capacity of generator	Rs/KVA/day
Any capacity	2

LA/A/BILLS/3047/2006

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 17-2-2006 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Prohibition of Ragging Bill, 2006

(Bill No. 2 of 2006)

A

BILL

to prohibit ragging in educational institutions in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Fifty-seventh Year of the Republic of India as follows:—

1. Short title, extent and commencement.—

(1) This Act may be called the Goa Prohibition of Ragging Act, 2006.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a) "Educational Institution" means and includes a College or other Institution by whatever name called, carrying on the activity of imparting education therein either exclusively or among other activities, and includes an orphanage or a boarding home or hostel or a tutorial institution or any other premises attached thereto;

(b) "Head of the educational institution" means the Vice-Chancellor of the University, Dean of Medical Faculty, Director of the Institution or the

Principal, Headmaster or the persons responsible for the management of the educational institution;

(c) "Ragging" means display of disorderly conduct, doing of any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes:—

(i) teasing, abusing, threatening or playing practical jokes on, or causing hurt to such student; or

(ii) asking a student to do any act or perform something, which such student will not in the ordinary course, willingly, do.

3. Areas Prohibited for Ragging.— Ragging within or near any educational institution is prohibited.

4. Authority to impose penalties.— (1) Whenever any student or, as the case may be, the parent or guardian, or a teacher of an educational institution complains in writing, of ragging to the head of the educational institution, the head of that educational institution shall, without prejudice to the foregoing provisions within seven days of the receipt of the complaint inquire into the complaint and if, prima facie, the complaint is found true, suspend the student who is accused of the offence from the roll of the educational institution and shall immediately hand over the student to the police officer for further investigation and punishment under Section 5.

(2) Where, on an inquiry by the head of the educational institution, it is proved that there is no substance, prima facie, in the complaint received under sub-section (1), he shall intimate the fact, in writing, to the complainant.

(3) The decision of the head of the educational institution that the student has indulged in ragging under sub-section (1) shall be final.

(4) If the head of the educational institution fails or neglects to take action in the manner specified herein when a complaint of ragging is

made, such person shall be deemed to have abetted the offence of ragging and shall on conviction be punished as provided for in Section 5.

5. *Punishment.*— (1) Whoever directly or indirectly commits, participates in, abets or propagates ragging within or near any educational institution shall on conviction, be punished with imprisonment for a term which may extend to two years and shall also be liable to a fine which may extend to ten thousand rupees.

(2) Any student so convicted shall further be removed from the roll of the educational institution and such students shall not be admitted in any other educational institution in the State for a period of three years from the date of such conviction.

Statement of Objects and Reasons

In the last few years there has been upsurge in the harassment of the students particularly by the senior students. Such activities remain unnoticed due to lack of complaints by the juniors or rather newly admitted students. Some students unfortunately are physically manhandle and psychologically get a severe depression to the extent that they discontinue their studies or even end their life.

There is persistent demand from all the corners of the society that the Government should take immediate steps to prohibit such practices of ragging in the educational institutions by providing deterrent punishment to such students who are indulging in ragging by enacting a special legislation.

In view of this, it is necessary that the Government have to decide to enact a special law prohibiting ragging in any educational institutions and providing a deterrent punishment for ragging.

The bill seeks to provide imprisonment to those who directly or indirectly commit or abet ragging within or outside any educational institution for a

term, which may extend to two years and also make them liable to fine, which may extend to Rs. 10,000/-. The Bill further provides for the dismissal of convicted students from the educational institutions and for disqualifying such students from being admitted to any other educational institution for a period of three years from the date of their dismissal.

The bill seeks to achieve the above objectives.

Financial Memorandum

No financial implications are involved in this Bill.

Delegated Legislation Memorandum

No delegated Legislation is envisaged.

Porvorim-Goa,
2nd February, 2006.

JETENDRA DESHPRABHU
M. L. A.

Assembly Hall,
Porvorim-Goa.
2nd February, 2006.

S. A. NARVEKAR
Secretary (Legislature)

LA/A/BILLS/3048/2006

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 16-2-2006 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Appropriation Bill, 2006

(Bill No. 1 of 2006)

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2005-06.

Be it enacted by the Legislative Assembly of Goa in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Goa Appropriation Act, 2006.

2. *Issue of Rs. 90,63,70,000 out of the Consolidated Fund of the State of Goa for the financial year 2005-06.*— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule to this Act amounting in the aggregate to the sums of Ninety crores sixty three lakhs seventy thousand rupees towards defraying the several charges which will come in the course of payment during the financial year 2005-06 in respect of the services and purposes specified in column (2) of the said Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the Schedule to this Act in relation to the said financial year.

SCHEDULE

(See sections 2 and 3)

(Rs. in lakhs)

Demand No.	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	Total
(1)	(2)	(3)	(4)	(5)
1	Legislature Secretariat	34.71	5.00	39.71
A1	Raj Bhavan (Charged)	—	22.28	22.28
2	General Administration and Coordination ...	20.86	—	20.86
5	Prosecution ...	4.00	—	4.00
8	Treasury and Accounts Administration, North Goa ...	1114.43	—	1114.43
A2	Debt Services (Charged)	—	0.10	0.10
10	Notary Services ...	8.56	—	8.56
12	Sales and Entertainment Tax ...	20.00	—	20.00
17	Police ...	236.35	—	236.35
18	Jails ...	65.01	—	65.01
21	Public Works ...	1497.35	102.65	1600.00
31	Panchayats ...	484.00	—	484.00
34	School Education ...	72.73	—	72.73

(Rs. in lakhs)				
(1)	(2)	(3)	(4)	(5)
40	Goa College of Engineering	0.01	—	0.01
43	Art and Culture . . .	200.00	—	200.00
47	Goa Medical College . . .	1000.00	—	1000.00
48	Health Services . . .	12.00	—	12.00
50	Goa College of Pharmacy . . .	152.10	—	152.10
52	Labour . . .	15.00	—	15.00
55	Municipal Administration . . .	0.01	—	0.01
56	Information and Publicity . . .	200.00	—	200.00
57	Social Welfare	1000.00	—	1000.00
64	Agriculture	—	0.17	0.17
65	Animal Husbandry and Veterinary Services . . .	33.00	—	33.00
66	Fisheries . . .	857.24	—	857.24
68	Forests . . .	0.01	67.64	67.65
71	Cooperation . . .	91.86	—	91.86
73	State Election Commission . . .	11.00	—	11.00
74	Water Resources	263.13	—	263.13
76	Electricity	1000.00	—	1000.00
78	Tourism	97.50	—	97.50
82	Information Technology . . .	375.00	—	375.00
TOTAL		8865.86	197.84	9063.70

Statement of Objects and Reasons

The Supplementary Demands for Grants for the year 2005-2006 (Second Batch) was presented to the Legislative Assembly on 14th February, 2006. This Bill is introduced in pursuance of Article 204 read with Article 205 of the Constitution of India to provide for the appropriation of certain further sums out of the Consolidated Fund of the State of Goa to meet the expenditure on certain services granted by the Legislative Assembly for those services.

Porvorim,
16th February, 2006.

PRATAPSINGH RANE
Chief Minister

Governor's Recommendation

The Governor has, in pursuance of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Goa Appropriation Bill, 2006.

LA/A/BILLS/3049/2006

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 15-2-2006 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2006

(Bill No. 5 of 2006)

A

BILL

further to amend the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969).

Be it enacted by the Legislative Assembly of Goa in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2006.

(2) It shall come into force at once.

2. *Amendment of section 22.*— In section 22 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act 2 of 1969), in sub-section (2), in clause (e), for the expression "in place where such dwelling house is situated", the expression "within an area of five kilometres radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated" shall be substituted.

Statement of Objects and Reasons

In terms of clause (e) of sub-section (2) of section 22 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969) (hereinafter referred to as the "said Act"), if the Controller, after giving the tenant a reasonable opportunity of showing cause against the application of landlord for the eviction of the tenant, is satisfied that the tenant of a dwelling house has, whether before or after the commencement of the said Act, 1968, built, acquired vacant possession of, or been allotted a residence in place where such dwelling house is situated, the Controller shall make an order directing the tenant to put the landlord in possession of the building.

In view of aforesaid provision, the eviction of tenant has become impossible in case where the tenant has built, acquired vacant possession of, or

has been allotted, a residence, just in the outskirts of the city.

The object of the said Act, is to provide protection to the poor section of society but at the same time not to allow misuse of the same in case where the tenants are having their own accommodation in the nearby vicinity of the tenanted premises. Therefore, in line with the objectives of the said Act, the Bill seeks to amend section 22 of the said Act, so as to clear the ambiguity and remove the undue advantage availed by the tenant who has his own accommodation within an area of five kilometers radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated.

The Bill seeks to amend clause (e) of sub-section (2) of section 22 of the said Act, so as to entitle the landlord to evict his tenant from the dwelling house, who has, whether before or after the commencement of the said Act, built, acquired vacant possession of, or has been allotted, a residence within an area of five kilometers radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim, Goa
14th February, 2006

PRATAPSINGH RAOJI RANE
Chief Minister

Assembly Hall,
Porvorim, Goa,
14th February, 2006.

S. A. NARVEKAR
Secretary, Legislature

ANNEXURE

Extract of the section 22 (2)(e) of the Goa Building: (Lease, Rent & Eviction) Control Act, 1968.

Section 22.— Grounds of eviction.—

(2) If the Controller, after giving the tenant a reasonable opportunity of showing cause against the application is satisfied —

(e) that the tenant of a dwelling house has, whether before or after the commencement of this Act, built, acquired vacant possession of, or been allotted a residence (in place where such dwelling house is situated) or

Assembly Hall,
Porvorim-Goa.

SUDHIR A. NARVEKAR
Secretary (Legislative)

Department of Personnel

Notification

1/6/2005-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group 'A', Gazetted post in the State Directorate of Craftsmen Training, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, the State Directorate of Craftsmen Training, Group 'A', Gazetted post, Recruitment Rules, 2005.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scale of pay.*— The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/1/13/60(1)/2005 dated 31-8-2005.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Panaji, 14th February, 2006.

SCHEDULE

Name/ Designation of post	Num- ber of posts	Classifi- cation	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits.	Whether age and educa- tional quali- fications prescribed for the direct recruits will apply in the case of promotees.	Period of proba- tion, if any	Method of recruitment, whether by direct or by promotion or by deputation/ transfer/ contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/transfer, grades from which promotion/ deputation/transfer is to be made	If a D.S.C./ D.P.C. exists what is its composi- tion	Circum- stances in which Goa Public Service Commission is to be con- sulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
State Director of Crafts- men Train- ing.	One.	Goa General Service, Group 'A' Gazetted.	Rs. 10,000- -325- -15,200.	Selection.	N. A.	No.	N. A.	N. A.	2 years.	By promotion failing which by transfer on deputation.	(A) <i>Promotion</i> : Officers holding the post of the Assistant Director (Train- ing) or the post of Principal Grade "A", with 5 years regular service in Group "A" post, and possessing Bachelor of Engineering in Automobile/Electronics and Telecommunication/ /Mechanical/Electrical from a recognized Univer- sity. (B) <i>By transfer on deputa- tion</i> : Officers holding analogous posts on regular basis in other Government Department of the State, PSUs/Autonomous Bodies or Central Government/ Central PSUs/Autonomous Bodies or Officers of Goa Civil Service holding senior scale and above posts.	Group "A" DPC con- sisting of: (1) Chair- man/Mem- ber GPSC —Chair- man. (2) Chief Secretary or his no- minee —Member. (3) Admin- istrative Secretary/ /Head of Depart- ment —Member. (for promo- tion and confirmation).	Con- sulta- tion with the Goa Public Service Commis- sion is necessary for promo- tion, confirma- tion, selection of an Officer for appoint- ment on deputa- tion and while amend- ing/ relaxing any of the provisions of these rules.